

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

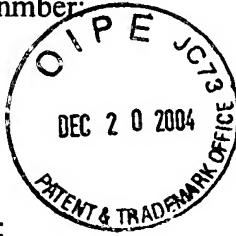
In re Application of: Walter M. Bain

Serial Nunmber: 10/755,849

Filed: January 12, 2004

Group:

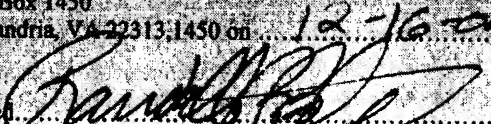
Examiner:



For: Automated Prescription Dispensing System and Method of Use

Attorney Docket: 1311.APT.CI

Mail Stop Amendment No Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313,1450

I hereby certify that this correspondence is being deposited with the United States Postal Service via First Class Mail addressed to:
Mail Stop Amendment No Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313,1450 on 12-16-04
Signed: 

PETITION UNDER 37 C.F.R. 1.78 TO ACCEPT UNINTENTIONALLY DELAYED

PRIORITY CLAIM

Dear Sir:

Applicant filed the above-referenced case on January 12, 2004. At the time of filing, Applicant indicated that the application was a continuation of U.S. Patent Application No. 09/655,704 on the transmittal sheet but did not amend the application to contain the priority claim. Upon responding to the Notice of Missing Parts on October 4, 2004, Applicant's counsel noticed the omission of the priority claim on the Filing Receipt and requested a corrected Filing

Receipt. Applicant also filed a preliminary amendment on that same date to make the priority claim part of the specification.

The Updated Filing Receipt was received on October 18, 2004. Upon further review of 37 C.R.F. 1.78, Applicant now believes that a fee was necessary to correct the priority claim. Therefore, Applicant submits a credit card authorization in the amount of \$1370.00, along with a copy of the documents filed on October 4, 2004.

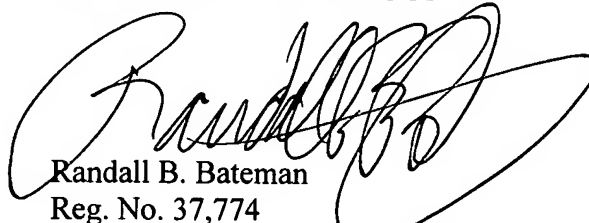
As an additional matter, Applicant has not received Applicant's return post card. However, on October 18, 2004, the Patent and Trademark Office issued the Updated Filing Receipt adding the priority claim as requested by Applicant on October 4, 2004.

It is hereby stated that the delay in properly making the priority claim was unintentional.

The Commissioner is authorized to charge any amount owing or credit any overpayment to Deposit Account No. 50-2720. Should there be any questions regarding this request for a corrected filing receipt, please contact Applicant's counsel, Randall B. Bateman, at (801) 533-0320 so that such matters may be quickly resolved.

Sincerely,

BATEMAN IP LAW GROUP



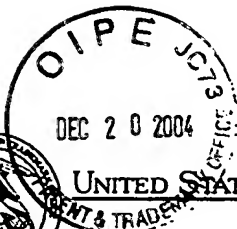
Randall B. Bateman
Reg. No. 37,774
8 East Broadway, Suite 550
P.O. Box 1319
Salt Lake City, UT 84110

Tel. (801) 533-0320
Fax. (801) 533-0323

E-mail: rbb@utah-ip.com

RBB:ws

BATEMAN IP LAW GROUP
8 EAST BROADWAY, SUITE 550
P.O. BOX 1319
SALT LAKE CITY, UTAH 84110



UNITED
PATENT & TRADE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

1311.APT.PT

RANDALL B. BATEMAN
BATEMAN IP LAW GROUP
4 TRIAD CENTER, SUITE 825
PO BOX 1319
SALT LAKE CITY, UT 84110

FORMALITIES LETTER



OC000000012361607

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The required item(s) identified below must be timely submitted to avoid abandonment:

- **Additional claim fees of \$474 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.**

Total additional fee(s) required for this application is \$1374 for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$474**

- \$258 for 3 independent claims over 3.
- \$216 for 12 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

DSH

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/755,849
		Filing Date	January 12, 2004
		First Named Inventor	Walter M. Bain
		Group Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	20	Attorney Docket No.	1311.APT.CI

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Appeal Communication: <input type="checkbox"/> Appeal Notice <input type="checkbox"/> Appeal Brief <input type="checkbox"/> Reply Brief <input type="checkbox"/> Assignment with Cover Sheet <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Check in the amount of \$__ <input type="checkbox"/> Credit card authorization in the amount of \$__ <input type="checkbox"/> Declaration & Power of Attorney <input type="checkbox"/> Drawings __ sheets <input type="checkbox"/> Formal <input type="checkbox"/> Informal	<input type="checkbox"/> Extension of Time Request ____ month <input type="checkbox"/> Fee Calculation Table <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form 1449 <input type="checkbox"/> Copies of IDS References <input type="checkbox"/> Issue Fee Transmittal & Advance Order	<input type="checkbox"/> Maintenance Fee Transmittal ____ year <input type="checkbox"/> Missing Parts Response <input type="checkbox"/> Notification of Change of Attorney Address & Docket Number <input checked="" type="checkbox"/> Return Postcard <input type="checkbox"/> Revocation & Power of Attorney <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Other: Petition Under 37CFR 1.78 to Accept Unintentionally Delayed Priority Claim
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT			
Attorney for Applicant	Randall B. Bateman, Registration No. 37,774 8 East Broadway, Suite550 P. O. Box 1319 Salt Lake City, Utah 84110 (801) 533-0320 telephone; (801) 533-0323 facsimile		
Signature		Date	12-16-04

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, on the date indicated below, in an envelope addresses to Mail Stop Amendment - No Fee, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.			
Typed or Printed Name	Randall B. Bateman		
Signature		Date	12-16-04

Patent

File No: 1311.APT.C1
Serial No.: 10/755,849 Atty: RBB
Date of Mailing: 10-4-04

Please acknowledge receipt of:

- ☐ Application (_____ pages)
 - ☐ Patent (NP, PT) ☐ Provisional ☐ Design
- ☐ Drawings (_____ sheets; _____ Figs)
 - ☐ Formal ☐ Informal
- ☐ Application Transmittal Sheet
- ☐ Fee Transmittal Sheet
- ☐ Non-publication request (PTO/SB/35)
- ☒ Declaration and Power of Attorney
- ☒ Certificate of Mailing
 - CFR § ☒ 1.8 ☐ 1.10
- ☐ Express Mail No. _____
- ☐ Check in the amount of \$ _____
- ☒ Credit Card Auth. \$ _____
- ☒ Assignment and Cover Sheet
- ☒ Amendment/Response PRELIMINARY
- ☐ CPA Transmittal Form
- ☐ Extension of time petition _____ month(s)
- ☐ IDS, PTO 1449 & References
- ☐ Issue Fee Transmittal & Advance Order
- ☐ Maintenance Fee Transmittal: _____ year
- ☐ Missing Parts Response
- ☐ Request for Continued Examination
- ☐ Transmittal Letter - General
- ☐ Status Inquiry
- ☒ Request for updated filing receipt
- ☐ _____



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/755,849	
	Filing Date	January 12, 2004	
	First Named Inventor	Walter M. Bain	
	Group Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	1	Attorney Docket No.	1311.APT.CI

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Amendment / Response <ul style="list-style-type: none"><input type="checkbox"/> After Final<input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Appeal Communication: <ul style="list-style-type: none"><input type="checkbox"/> Appeal Notice<input type="checkbox"/> Appeal Brief<input type="checkbox"/> Reply Brief <input checked="" type="checkbox"/> Assignment with Cover Sheet	<input type="checkbox"/> Extension of Time Request _____ month	<input type="checkbox"/> Maintenance Fee Transmittal _____ year
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Fee Calculation Table	<input checked="" type="checkbox"/> Missing Parts Response
<input type="checkbox"/> Check in the amount of \$ _____	<input type="checkbox"/> Information Disclosure Statement <ul style="list-style-type: none"><input type="checkbox"/> Form 1449<input type="checkbox"/> Copies of IDS References	<input type="checkbox"/> Notification of Change of Attorney Address & Docket Number
<input checked="" type="checkbox"/> Credit card authorization in the amount of \$ 740.00 127.00	<input type="checkbox"/> Issue Fee Transmittal & Advance Order	<input checked="" type="checkbox"/> Return Postcard
<input checked="" type="checkbox"/> Declaration & Power of Attorney	Remarks	<input type="checkbox"/> Revocation & Power of Attorney
<input type="checkbox"/> Drawings _____ sheets		<input type="checkbox"/> Status Inquiry
<input type="checkbox"/> Formal <input type="checkbox"/> Informal		<input type="checkbox"/> Other:
SIGNATURE OF APPLICANT, ATTORNEY OR AGENT		
Attorney for Applicant	Randall B. Bateman, Registration No. 37,774 4 Triad Center, Suite 825 P. O. Box 1319 Salt Lake City, Utah 84110 (801) 533-0320 telephone; (801) 533-0323 facsimile	
Signature		Date
		10-4-04
CERTIFICATE OF MAILING UNDER 37 CFR § 1.8		
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, on the date indicated below, in an envelope addresses to Mail Stop Amendment - No Fee, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.		
Typed or Printed Name	Randall B. Bateman	
Signature		Date
		10-4-04



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Walter M. Bain
Serial Nunmber: 10/755,849
Filed: January 12, 2004
Group:
Examiner:
For: Automated Prescription Dispensing System and Method of Use
Attorney Docket: 1311.APT.CI

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313,1450



RESPONSE TO NOTICE TO FILE MISSING PARTS

Dear Sir:

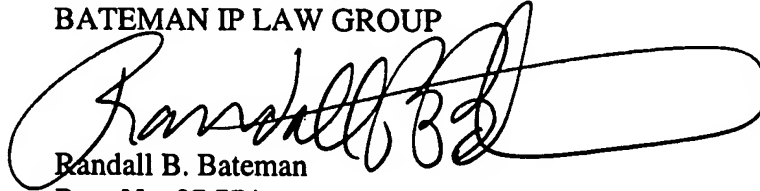
In response to the notice to file missing parts mailed on April 15, 2004 please accept the following. For convenience, Applicant has submitted a copy of the Assignment and Statement Claiming Small Entity Status. Applicant has submitted a new Declaration and Power of Attorney. Applicant has included a credit card authorization in the amount of \$1427.00 to cover the required fees. The credit card authorization includes \$687.00 to cover the small entity filing fee of \$385.00, the small entity late oath or declaration surcharge of \$65.00, and the small entity

additional claim fee of \$237.00. The credit card authorization also includes \$740.00 to cover the small entity four month extension of time for response.

The Commissioner is authorized to charge any amount owing or credit any overpayment to Deposit Account No. 50-2720. Should there be any questions regarding this response to notice to file missing parts, please contact Applicant's counsel, Randall B. Bateman, at (801) 533-0320 so that such matters may be quickly resolved.

Sincerely,

BATEMAN IP LAW GROUP

A large, stylized handwritten signature in black ink, appearing to read 'Randall B. Bateman', is written over the printed name and address.

Randall B. Bateman
Reg. No. 37,774
4 Triad Center, Suite 825
P.O. Box 1319
Salt Lake City, UT 84110

Tel. (801) 533-0320
Fax. (801) 533-0323

E-mail: rbb@utah-ip.com

RBB:bhp



ASSIGNMENT

Page 1 of 3

<i>Attorney Docket No.</i>	1311.APT.PT
<i>Inventor</i>	Walter M. Bain
<i>Assignee</i>	ADVANCED PHARMACY TECHNOLOGIES, L.L.C.
<i>Serial Number</i>	
<i>Filing Date</i>	

WHEN RECORDED RETURN TO:

MORRISS, BATEMAN, O'BRYANT & COMPAGNI
5882 South 900 East, Suite 300
Salt Lake City, Utah 84121

WHEREAS Walter M. Bain, resident of Utah, has invented a certain new and useful improvement in AUTOMATED PRESCRIPTION DELIVERY SYSTEM, the application for United States Letters Patent which is identified above; and

WHEREAS, ADVANCED PHARMACY TECHNOLOGIES, L.L.C., a corporation of the State of Utah, having a business address of 526 North 700 West, No. Salt Lake, Utah 84054, is desirous of acquiring the entire right, title, and interest in the same;

NOW, THEREFORE, in consideration of one dollar (\$1.00), the receipt and sufficiency whereof is hereby acknowledged, and other good and valuable consideration, I, the said Walter M. Bain, by these presents, do sell, assign, and transfer unto said ADVANCED PHARMACY TECHNOLOGIES, L.L.C., the full and exclusive right to the said invention and in and to said application and any and all divisions and continuations, substitutes and reissues of said application and the entire right, title, and interest in, to and under any and all Letters Patent of the United States and foreign countries that may issue or be granted on said invention.

ASSIGNMENT Page <u>2</u> of <u>3</u>	<i>Attorney Docket No.</i>	1311.APT.PT
	<i>Inventor</i>	Walter M. Bain
	<i>Assignee</i>	ADVANCED PHARMACY TECHNOLOGIES, L.L.C.
	<i>Serial Number</i>	
	<i>Filing Date</i>	

The Assignor hereby authorizes the Assignee to apply for and receive any and all United States and foreign patents relating to such improvements in its own name.

The Assignor hereby authorizes and requests the issuing authority to issue any and all United States and foreign patents granted on such improvements to and in the name of the Assignee.

The Assignor warrants and covenants that no assignment, grant, mortgage, license or other agreement or encumbrance affecting the rights and property herein conveyed has been or will be made or entered into by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned.

When requested by and at the expense of the Assignee, the Assignor covenants to carry out in good faith the intent and purpose of this agreement, to execute all divisional, continuing, substitute, renewal and reissue, and all other patent applications relating to any and all improvements relating to the invention; to execute all rightful oaths, declarations, assignments, powers of attorney and other papers; to communicate to the Assignee all facts and provide to the Assignee all documents and things known and accessible to the undersigned relating to such improvements and the history thereof, and testify as to the same in any interference, litigation or other proceeding relating thereto; and generally to do everything which the Assignee shall consider desirable for vesting title to such improvements in the Assignee, and to secure, maintain, defend and enforce valid and enforceable patent protection for the invention.

ASSIGNMENT Page <u>3</u> of <u>3</u>	Attorney Docket No.	1311.APT.PT
	Inventor	Walter M. Bain
	Assignee	ADVANCED PHARMACY TECHNOLOGIES, L.L.C.
	Serial Number	
	Filing Date	

The Assignor hereby agrees and acknowledges that the sale, assignment and transfer of rights and property set forth herein is and shall be irrevocable and binding upon the heirs, assigns, representatives and successors of the undersigned Assignor and extend to the successors, assigns and nominees of the Assignee.

The Commissioner of Patents is hereby authorized and requested to issue said Letters Patent to said ADVANCED PHARMACY TECHNOLOGIES, L.L.C. as the assignee of the entire right, title, and interest in and to the same, for its sole use and behoof; and for the use and behoof of its legal representatives, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by us had this assignment and sale not been made.

Executed this 6th day of September, 2000 at Salt Lake City, Utah.
(city) (state)

STATE OF Utah

Walter M. Bain
Walter M. Bain

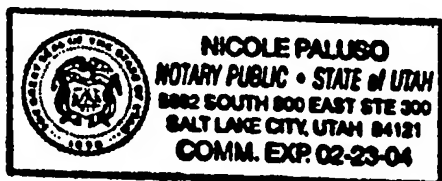
County of Salt Lake : ss

Before me personally appeared Walter M. Bain and acknowledged the foregoing instrument to be his free act and deed this 6th day of September, 2000.

Nicole Paluso
Notary Public

Residing at/My commission expires:

Salt Lake City / 2-23-04





STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN

Docket Number (Optional)
1311..APT.PT

Applicant, Patentee, or Identifier: Walter M. Bain

Application or Patent No.: _____

Filed or Issued: _____

Title: AUTOMATED PRESCRIPTION DISPENSING SYSTEM AND METHOD OF USE

I hereby state that I am

- ☒ the owner of the small business concern identified below:
☐ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Advanced Pharmacy Technologies, L.L.C.

ADDRESS OF SMALL BUSINESS CONCERN 526 North 700 West, No. Salt Lake, Utah 84054

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.
☐ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Daniel Bain

TITLE OF PERSON IF OTHER THAN OWNER Manager

ADDRESS OF PERSON SIGNING 526 North 700 West, No. Salt Lake, Utah 84054

SIGNATURE [Signature] DATE 9/6/2000

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

Attorney Docket Number

1311.APT.CI

First Named Inventor

Walter M. Bain

COMPLETE IF KNOWN

Application Number

10/755,849

Filing Date

01/12/2440

Art Unit

Examiner Name

Declaration
Submitted
with Initial
FilingDeclaration Submitted after
Initial Filing (surcharge
(37 CFR 1.16(e))
required)

DEC 20 2004

PATENT & TRADEMARK OFFICE

As the below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Automated Prescription Dispensing System and Method of Use

(Title of the Invention)

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

01/12/2004

as United States Application Number or PCT International

Application Number

10/755,849

and was amended on (MM/DD/YYYY)

(If applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Randall B. Bateman Reg. No. 37,774



DECLARATION -- Utility or Design Patent Application

Direct all correspondence to: ☒

Customer Number
or Bar Code Label

27472

OR ☐ Correspondence address below

Name **RANDALL B. BATEMAN, P.C.**

Address **4 TRIAD CENTER, SUITE 825; P. O. BOX 1319**

City **SALT LAKE CITY**

State

UTAH

ZIP

84110

Country **USA**

Telephone

(801) 533-0320

Fax

(801) 533-0323

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any])

Walter M.

Family Name
or Surname

Bain

Signature

Walter M. Bain

Date **Oct 2, 2004**

Residence: City

FARMINGTON

State

Utah

Country

DAVIS

Citizenship

USA

Mailing Address

536 East Woodward Dr.

City

FARMINGTON

State

Utah

Zip

84025

Country

DAVIS

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any])

Family Name
or Surname

Inventor's
Signature

Date

Residence: City

State

Country

Citizenship

Mailing Address

City

State

Zip

Country

☐ Additional inventors are being named on the ____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Walter M. Bain
Serial Nunmber: 10/755,849
Filed: January 12, 2004
Group:
Examiner:
For: Automated Prescription Dispensing System and Method of Use
Attorney Docket: 1311.APT.CI

Mail Stop Amendment No Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313,1450



PRELIMINARY AMENDMENT

Dear Sir:

Applicant has provided the following preliminary amendment to correct the specification so that the present application properly claims priority as a continuation of U.S. Application No. 09/655,704, filed on September 6, 2000. Also, please note that the Attorney Docket Number should be changed to read "1311.APT.CI" and not "1311.APT.PT." Accordingly, please amend the application as follows:

In the Specification:

Please amend the specification as follows:

On Page 2 of the specification:

In the section titled "Background of the invention" and before prior line 2 which reads "1. Field of the Invention," please add the following paragraph:

1. Related Applications

The present application is a continuation application of U.S. Patent Application Number 09/655,704, filed September 6, 2000.

Please amend prior line 2 "1. Field of the Invention" to read "2. Field of the Invention."

Please amend prior line 12 "2. State of the Art" to read "3. State of the Art."

REMARKS

Applicant has amended the specification to properly reflect the status of the current application as a continuation of U.S. Application No. 09/655,704.

The Commissioner is authorized to charge any amount owing or credit any overpayment to Deposit Account No. 50-2720. Should there be any questions regarding this preliminary amendment, please contact Applicant's counsel, Randall B. Bateman, at (801) 533-0320 so that such matters may be quickly resolved.

Sincerely,

BATEMAN IP LAW GROUP



Randall B. Bateman

Reg. No. 37,774

4 Triad Center, Suite 825

P.O. Box 1319

Salt Lake City, UT 84110

Tel. (801) 533-0320

Fax. (801) 533-0323

E-mail: rbb@utah-ip.com

RBB:bhp



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Walter M. Bain
Serial Nunmber: 10/755,849
Filed: January 12, 2004
Group:
Examiner:
For: Automated Prescription Dispensing System and Method of Use
Attorney Docket: 1311.APT.CI

Mail Stop Amendment No Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313,1450



REQUEST FOR CORRECTED FILING RECEIPT

Dear Sir:

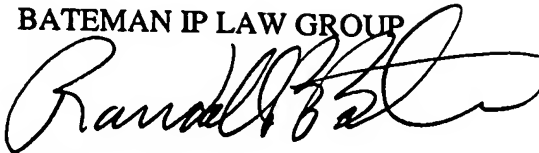
Applicant has filed a preliminary amendment to correct the specification of the present application and properly claim priority as a continuation of U.S. Application No. 09/655,704, as indicated on the transmittal sheet of the application. Applicant has also responded to the Notice to File Missing Parts which was mailed on April 15, 2004. Accordingly, Applicant hereby requests a corrected filing receipt be mailed to Applicant's counsel.

The Commissioner is authorized to charge any amount owing or credit any overpayment to Deposit Account No. 50-2720. Should there be any questions regarding this request for a

corrected filing receipt, please contact Applicant's counsel, Randall B. Bateman, at (801) 533-0320 so that such matters may be quickly resolved.

Sincerely,

BATEMAN IP LAW GROUP



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